

United States District Court
Northern District of California

JO ANN O'CONNOR and ROBERT H.
O'CONNOR,
Plaintiffs,
v.
CAPITAL ONE, N.A.,
Defendant.

Case No.: CV 14-00209-KAW

ORDER DENYING MOTION FOR LEAVE
TO FILE FIRST AMENDED COMPLAINT
WITHOUT PREJUDICE

Plaintiffs Jo Ann O'Connor and Robert H. O'Connor proceed *pro se* in the above-captioned case. On May 12, 2014, Plaintiffs filed a motion for leave to file a first amended complaint. (Pls.' Mot., Dkt. No. 25.)

The Court denies the motion without prejudice for two reasons. First, Plaintiffs noticed the motion for hearing on May 15, 2014. This violates Civil Local Rule 7-2(a), which provides that "all motions must be filed, served, and noticed in writing on the motion calendar of the assigned Judge for hearing not less than 35 days after filing of the motion." Second, Plaintiffs did not comply with Civil Local Rule 10-1, which requires "[a]ny party filing or moving to file an amended pleading [to] reproduce the entire proposed pleading and may not incorporate any part of a prior pleading by reference."

If Plaintiffs wish to file a first amended complaint, they may do so by filing a properly noticed motion that includes a copy of the proposed amended complaint.

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1 The Court reminds Plaintiffs that they may wish to consult a manual the Court has adopted
2 to assist *pro se* litigants in presenting their case. This manual, and other free information, is
3 available online at: <http://cand.uscourts.gov/proselitigants>. Plaintiff may also wish to contact the
4 Federal Pro Bono Project's Help Desk—a free service for *pro se* litigants—by calling (415) 782-
5 8982.

6 IT IS SO ORDERED.

7 Dated: May 28, 2014


KANDIS A. WESTMORE
United States Magistrate Judge